Supreme Court U.S.
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No. 10-1058

In the
# Supreme Court of the United States

YANKTON SIOUX TRIBE, AND ITS INDIVIDUAL MEMBERS,
*Cross-Petitioners,*

v.

DENNIS DAUGAARD, GOVERNOR OF SOUTH DAKOTA; MARTY J. JACKLEY, ATTORNEY GENERAL OF SOUTH DAKOTA, SOUTHERN MISSOURI RECYCLING AND WASTE MANAGEMENT DISTRICT, PAM HEIN, STATE'S ATTORNEY OF CHARLES MIX COUNTY, ET AL.,
*Cross-Respondents.*

*On Conditional Cross-Petition for a Writ of Certiorari to the United States Court of Appeals for the Eighth Circuit*

## BRIEF OF RESPONDENT SOUTHERN MISSOURI RECYCLING AND WASTE MANAGEMENT DISTRICT IN RESPONSE TO CONDITIONAL CROSS-PETITION FOR WRIT OF CERTIORARI

KENNETH W. COTTON
*Counsel of Record*
WIPF & COTTON
P.O. BOX 370
107 S. MAIN
WAGNER, SOUTH DAKOTA 57380
TELEPHONE: (605) 384-5471
EMAIL: kencot@hcinet.net

*Attorney for Respondent Southern Missouri Recycling and Waste Management District*

May 18, 2011

Becker Gallagher · Cincinnati, OH · Washington, D.C · 800 890 5001

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## ARGUMENT

In order to conserve scarce resources and not unduly burden this Court with repetitious arguments, Southern Missouri Recycling and Waste Management District supports the argument in the Response of Governor and Attorney General to Conditional Cross-Petition for a Writ of Certiorari and the Brief of Respondent Charles Mix County in Response to the Conditional Cross-Petition for Writ of Certiorari, *Yankton Sioux Tribe, et al. v. Dennis Daugaard, Governor of South Dakota, et al.* (No. 10-1058). In addition, Southern Missouri Recycling and Waste Management District is aware that *amici curiae* in support of the Petitions of the State, County and Southern Missouri Recycling and Waste Management District in Nos. 10-929, 10-931 and 10-932 share similar concerns. *See* interests of *amici curiae* set forth in the *Amicus Curiae* Brief of Charles Mix Electric Association, Inc. and Rosebud Electric Cooperative, Inc. in Support of Petitions for Writ of Certiorari; Brief of Cities Dante, Geddes, Lake Andes, Pickstown, Platte, Ravinia and Wagner, *Amici Curiae*, in Support of Petitions for Writ of Certiorari; *Amicus Curiae* Brief for Colin Soukup, Representing the Frank Soukup Family Limited Partnership, and Dan Cimpl in Support of Petitions for Writ of Certiorari; Brief of Randall Community Water District, *Amicus Curiae*, in Support of Petitions for Writ of Certiorari; and *Amicus Curiae* Brief of Wagner Community School District No. 11-4 in Support of Petitions for Writ of Certiorari, *Daugaard, et al. v. Yankton Sioux Tribe, et al* (Nos. 10-929, 10-931 and 10-932).

For these reasons, Southern Missouri Recycling and Waste Management District relies on the arguments that Southern Missouri Recycling and Waste Management District previously submitted in No. 10-931.

## CONCLUSION

Southern Missouri Recycling and Waste Management District also agrees with the conclusions in the Response of Governor and Attorney General to Conditional Cross-Petition for a Writ of Certiorari and the Brief of Respondent Charles Mix County in Response to the Conditional Cross-Petition for Writ of Certiorari, *Yankton Sioux Tribe, et al. v. Dennis Daugaard, Governor of South Dakota, et al.* (No. 10-1058) that the Petitions for Writ of Certiorari in Nos. 10-929, 10-931, and 10-932 should be granted and the Conditional Cross-Petition in this case should also be granted.

Respectfully submitted,

Kenneth W. Cotton
*Counsel of Record*
Wipf & Cotton
107 S. Main
Wagner, South Dakota 57380
Telephone: (605) 384-5471
Email: kencot@hcinet net

*Attorney for Respondent Southern Missouri Recycling and Waste Management District*